

REMARKS

The Examiner rejected Claims 2 and 4 under the provision of 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Reconsideration is requested in view of this amendment.

Claims 2 and 4 have been amended to correct the antecedent basis for each of the terms noted by the Examiner and now clearly and distinctly define the invention. Also, Claims 1-6 have been amended so as to clearly define the invention. In particular, use of the term "characterized in that" has been amended and the term "wherein" has been substituted. No new matter has been added and the claims are fully supported in the original disclosure. For this reason, it is requested that the rejection of the claims under 35 U.S.C. § 112 paragraph second be withdrawn.

In paragraph 6 of the Office action, Claims 1, 3, and 5-6 were rejected under the provisions of 35 U.S.C. § 102(e) as being anticipated by Long, and in paragraph 8, Claims 2 and 4 were rejected under the provisions of 35 U.S.C. 103(a) as being unpatentable over Long in view of Leason et al.

Reconsideration is respectfully requested.

The present application made claim for convention priority under 35 U.S.C. § 119 (a-d), on October 15, 2001, to Italian Patent Application No. MI2000A 002248, filed October 18, 2000. A certified copy of the Italian priority application along with a verified English translation is submitted herewith. As such, the present application predates United States Patent No. 6,695,166 to Long, filed September 26, 2001. It is requested that the rejection for anticipation be withdrawn.

The rejection under 35 U.S.C. §103(a) is no longer tenable as the essential teachings of the primary reference are not prior art to the amended claims. The Long patent does not suggest any type of fingerprint identical system and for this reason it is requested that this ground of rejection be withdrawn.

In view of the foregoing discussion, applicant respectfully submits that the pending claims are allowable over the cited prior art. Allowance of the claims is therefore respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'JVC', with a long horizontal flourish extending to the right.

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